IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 7829 of 2005

Between:

K.Srinivas, S/o.Sri Satyanarayana,
R/o.Teki, Kapileswarapuram Mandal,
East Godavari District.

..... PETITIONER

AND

The District Collector (Panchayat Wing) East Godavari
at Kakinada.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of mandamus declaring the proceedings of the respondent issued in Rc.No.5019/2004/A11, dt.26.3.2005 as illegal, arbitrary and unjust and consequently direct the respondent to drop all further proceedings against the petitioner in this regard.

Counsel for the Petitioner:MR.N.SIVA REDDY

Counsel for the Respondent: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court, at the stage of admission, made the following :

ORDER:

This writ petition is filed questioning the order dated 26.03.2005 passed by the respondent-District Collector (Panchayat Wing), East Godavari at Kakinada, under Section 249(6) of the A.P.Panchayat Raj Act, 1994 (for short "the Act"), whereunder the petitioner was placed under suspension for a period of three months.

Against the impugned order, an alternative remedy is available under the Act by way of Revision. Without exhausting the said alternative remedy, the petitioner cannot maintain this writ petition.

Accordingly, the writ petition is disposed of granting leave and liberty to the petitioner to work out the alternative remedy available under Act. However, having regard to the facts and circumstances of the case, there shall be a direction that the impugned order dated 26.03.2005 shall not be given effect to for a period of two weeks from today. No costs.

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08.04.2005

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To

1) The District Collector (Panchayat Wing) East Godavari at Kakinada.

2) Two C.Cs to the G.P for Panchayat Raj and Rural Development, High Court Buildings, Hyderabad (OUT).

3) 2 CD copies

4) 1 CC to MR.SIVA REDDY.